

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARGARITO PAVON,

Plaintiff,

-against-

MAMARONECK VARIETY CORP. d/b/a  
MAMARONECK VARIETY, et al.,

Defendants.

**DEFAULT JUDGMENT**

21-CV-02517 (PMH)

PHILIP M. HALPERN, United States District Judge:

This action having been commenced on March 23, 2021 by the filing of the Summons and Complaint (Doc. 1), a copy of the Summons and Complaint having been personally served on Mamaroneck Variety Corp. d/b/a Mamaroneck Variety,<sup>1</sup> through substituted service of process through the New York Secretary of State on March 29, 2021, and an Affidavit of Service having been filed on April 6, 2021 (Doc. 11), and a copy of the Summons and Complaint having been personally served on Ali AlShaiba, Medo Wasser AlShaiba, and Ahmed AlShaiba through individual service and mail on April 10, 2021, and Affidavits of Service having been filed on April 28, 2021 (Docs. 12-14), and Defendants not having answered the Complaint, and the time for answering the Complaint having expired, and a Certificate of Default having been issued on May 13, 2021 (Doc. 18), and Defendants not having served and filed opposition with respect to the Order to Show Cause issued on September 16, 2021 (Doc. 29), and the Court having reviewed all papers supporting Plaintiff's application for a default judgment (Docs. 17, 20-24, 26-28), it is

**ORDERED, ADJUDGED AND DECREED** that Plaintiff, Margarito Pavon, have judgment against Defendants in the amount of \$654, 651.63, made up of \$285,862.50 in unpaid

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<sup>1</sup> Mamaroneck Variety Corp., Ali AlShaiba, Medo Wasser AlShaiba, and Ahmed AlShaiba are collectively referred to herein as "Defendants."

overtime wages, \$131,175.00 in liquidated damages under the Fair Labor Standards Act, \$154,687.50 in liquidated damages under the New York Labor Law, \$65,667.13 in prejudgment interest (calculated as of June 10, 2021), \$10,000 in notice damages under the New York Labor Law, and \$7,259.50 in attorney's fees and costs.

**SO ORDERED:**

Dated: White Plains, New York  
December 7, 2021

A handwritten signature in black ink, appearing to read 'PHM', is written over a horizontal line.

PHILIP M. HALPERN  
United States District Judge